

Appl. No. : **10/015,813**
Filed : **November 02, 2001**

REMARKS

Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. Applicant initially would like to acknowledge with appreciation the Examiner's indication that Claims 1 and 10-12 contain allowable subject matter. For the following reasons, Applicant respectfully submits that Claims 2-9 and newly added Claim 13 are also allowable.

Drawings

The Examiner objection to the drawings stating that the drawings did not show the subject matter recited by Claims 1, 2 and 9. After reviewing the language identified by the Examiner, Applicant elected to revised the claims so as to improve the syntax of the claim language. For example, Claim 1 has been amended to make clear that the magnets are part of the rotor. In view of the claim amendments, Applicant thus respectfully submits that the claim amendments have rendered the grounds for the drawing objection moot. Reconsideration of the drawing objection is respectfully requested.

All Pending Claims Fully Comply With 35 U.S.C. § 112

Claims 1, 2, and 3 stand rejected under 35 U.S.C. § 112, second paragraph, the Examiner maintaining that the language therein is indefinite as filed. In particular, the Examiner stated that there is insufficient antecedent basis for the following limitation: "heat conductive plate abutted against one of said plates." Applicant respectfully disagrees with the rejection. Both Claims 1 and 2 introduce the "plates" in element (ii) and, accordingly, a proper antecedent basis exists for "plates" as this term is subsequently used in these claims. All of the original claims accordingly fully complied with the requirements of 35 U.S.C. § 112, and Applicant respectfully requests the Examiner to reconsider the grounds for the rejection.

In an effort to make the existing antecedent basis even more clear, the adjective "stacked" has been added before "plates" in both Claims 1 and 2. The informality in the language of Claim 1, which formed the basis for the Examiner's objection, has also been corrected.

Claim 2

Claim 2 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Nakano in view of Isogawa. Applicant has carefully reviewed the references and respectfully disagrees with the basis for the rejection because a *prima facie* case of obviousness has not been established. Even assuming that some motivation or suggestion exists to combine the teachings of Nakano with Isogawa, the combination of these references does not disclose each and every limitation recited by Claim 2.

Claim 2 recites, among other limitations, a heat conductive plate having substantially the same planar dimensions as the stacked plates. As stated by the Examiner, the structure disclosed in the Nakano reference that corresponds to the heat conductive plate is the retaining plate 18 and the disclosed structure in Nakano that corresponds to the stacked plates are the cores 11. The retaining plate 18, however, does not have substantially the same planar dimensions as the magnetic cores 11. Neither the Nakano reference nor the Isogawa reference teach or suggest, *inter alia*, this limitation. Reconsideration of the rejection is respectfully requested.

Claims 3-8

Claims 3-8 stand rejected under 35 U.S.C. § 103(a) on the stated grounds that the claims are unpatentable over Nakano (U.S. Patent No. 6455976) in view of *In re Leshin*" (125 U.S.P.Q. 416). Again, a *prima facie* case of obvious has not been established and the rejection should be withdrawn.

Claim 3 recites that the stator armature comprises "a heat conductive plate having the same planar dimensions as the stacked plates." As explained above, Nakano fails to teach or suggest this limitation. Additionally, Claim 3 recites that the heat conductive plate is formed of a material having a higher heat conductivity than the stacked plates. The Examiner acknowledges that Nakano does not teach or suggest this limitation; however, the Examiner improperly dismisses the limitation as a mere matter of design choice. In forming the rejection the Examiner stated:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to choose the heat conductive plate to be of aluminum or of

thermal conductivity equal to or greater to that of aluminum and the stator bracket to be formed of aluminum; since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

This statement, however, presupposes that a design objective (i.e., an "intended use") is to transfer heat from the armature core through a heat conductive plate. This design objection, however, is not taught or recognized by Nakano or by the other applied references. Rather, Nakano is concerned with the retaining plates 18 being formed of a high rigidity material, such as stainless steel, to resist a radially directed force and to hold the cores within the case 1. See Col. 5, lines 27-32 and Col. 3, lines 44-63. It simply would not have been obvious to select the material of the retainer plates 18 to promote heat transfer from the cores 11 to the retainer plates 18 as the Examiner suggests. Reconsideration of Claims 3-8 thus is respectfully requested.

Claim 9

Claim 9 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Nakano in view of Minowa and Isogawa. Applicant respectfully traverses the rejection.

Claim 9 recites, among other limitations, that the electrical generator comprises a series of uniformly spaced radially extending armature legs made of metal having magnetic permeability attached to a similar shaped aluminum plate. None of the applied references disclose these limitations, or others, recited by Claim 9. For example, as noted above, Nakano does not disclose that its cores 11 have a similar shape to the retainer plates 18 and the retainer plates 18 are not made of aluminum. These limitations also are not found in Minowa and in Isogawa. Accordingly, the applied combination of references, even when taken together, does not teach or suggest each and every limitation recited by Claim 9. Reconsideration of the rejection is respectfully requested.

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CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and drawings. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

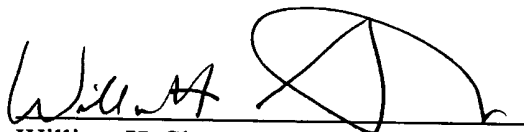
The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, William H Shreve at (949) 721-2895 (direct line), in order to resolve such issue promptly.

Respectfully submitted,

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